

REMARKS

The title of the application and the Abstract have been amended in response to the Examiner's objections.

The claims were rejected under 35 U.S.C. § 102 as either anticipated by JPEG 2000 Image Coding System Final Committee Draft Version 1.0, 16 March 2000 (IT-JPEG2000) and/or Qian *et al.* (U.S. patent no. 6,070,167). For the reasons that follow, these rejections are respectfully traversed.

Claims 1 through 3 and 15 through 17 were rejected as anticipated by IT-JPEG2000. Claim 1 requires a JPEG2000 file including a metadata box and information within the metadata box describing the content of the image. The Examiner referred to page 140, § I.4.5 as support for this rejection. This section of IT-JPEG2000 describes the ability of the JP2 format to add metadata to a JP2 file. However, this paragraph does not say that the information within a metadata box describes the content of the image. This teaching is noticeably absent from anything contained within IT-JPEG2000.

Regarding claim 15, the same is true. Claim 15 calls for a UUID box containing information describing the content of the image. This element of claim 15 cannot be found on page 158 as asserted by the Examiner. The UUID box shown in FIG. I-16 specifies vendor specific data. There is no teaching in either § I.9.2 or § I.9.3 that indicates that data in this box describes the content of the image. The rejection should therefore be withdrawn.

Claims 4 through 14 and 18 through 28 were rejected as unpatentable over IT-JPEG2000 in view of Qian *et al.* The Examiner is of the view that it would be obvious to incorporate the teachings of Qian into the JPEG2000 standard description. This putative combination is an example of attempting to incorporate a technique used for a different application and in a different context into a prior standard by merely using the claims as a guide.

The authors of the JPEG2000 standard (IT-JPEG2000) did not see fit to incorporate any of the functionality described in Qian into the JPEG2000 file format. Qian is a hierarchical system for an object based descriptive tagging of images. In Qian, objects are located, defined

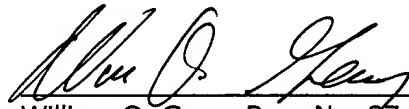
and tagged with auxiliary information which could include calls to other programs, links to other files or to the Internet. Qian, however, is primarily an object based system and relies on identifying and locating objects within an image. Furthermore, the content-based information in Qian is not located within the image proper. The hierarchical system of Qian relies upon a two-layer structure – a base layer and a second layer. Qian requires the two-layer structure so as not to burden the image with too much data that cannot be easily compressed and/or transmitted. The base layer indicates only whether information associated with the image exists. The second layer actually contains the information. This is a completely different system from anything described in the IT-JPEG2000 standard, which specifies a file format based upon discrete boxes within the file. There is no suggestion in Qian of exporting his technique into the JPEG2000 file format and likewise there is no suggestion in IT-JPEG2000 of incorporating anything like the object based two-layer hierarchical structure of Qian. The combination of Qian and IT-JPEG2000 is not suggested anywhere in the prior art and the rejection should be withdrawn.

Claims 29 through 59 were rejected as unpatentable over IT-JPEG2000 in view of Qian. The Examiner notes that IT-JPEG2000 does not disclose that one of the boxes in a JPEG2000 file may contain an MPEG-7 compliant description scheme. The Examiner instead points to Qian, which includes a system wherein MPEG-7 data may be used compliant with the MPEG-7 specification. As stated above with respect to claims 4 through 14 and 18 through 28, there is no teaching that Qian's system is in anyway analogous with the JPEG2000 standard except through a hindsight reconstruction of Qian's functionality into one or more of the boxes specified in the standard using applicant's claims as a guide. IT-JPEG2000 does not define syntax and semantics for any metadata that can be placed in the metadata and/or UUID boxes. This is what enables the MPEG-7 description scheme to be used with an image rendered in the JPEG2000 file format. In Qian, the MPEG-7 description scheme is used in connection with Qian's object-based proprietary two-layer hierarchical format. This is a completely different format from the box structure of IT-JPEG2000 and the idea of using an MPEG-7 in such a structure is nowhere suggested in Qian. Qian, as stated above, is an object-based system in which objects within an image are first defined. Links to additional information are then indicated in the first layer of Qian's structure. This is completely different from that which is taught in claim 29, which incorporates MPEG-7 descriptors in a metadata box or a UUID box

within the JPEG2000 structure itself. The combination of IT-JPEG2000 and Qian *et al.* would not have been obvious to one of ordinary skill in the art given these fundamental structural differences. The rejection should therefore be withdrawn.

In view of the foregoing, applicant requests that the claims be allowed and the application pass to issue.

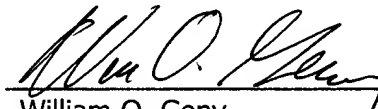
Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Dated: August 31, 2004

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